

**COMMONWEALTH OF VIRGINIA**  
**Department of Environmental Quality**  
**BBRO Regional Office**

**STATEMENT OF LEGAL AND FACTUAL BASIS**

RR Donnelley Printing Company  
Located in Lynchburg, Virginia  
Permit No. (BBRO -30124)

Title V of the 1990 Clean Air Act Amendments required each state to develop a permit program to ensure that certain facilities have federal Air Pollution Operating Permits, called Title V Operating Permits. As required by 40 CFR Part 70 and 9 VAC 5 Chapter 80, RR Donnelley Printing Company has applied for a Title V Operating Permit for its Lynchburg facility. The Department has reviewed the application and has prepared a draft/proposed Title V Operating Permit.

Engineer/Permit Contact: \_\_\_\_\_  
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Date: May 30, 2013

Air Permit Manager: \_\_\_\_\_  
David J. Brown

Date:

Regional Director: \_\_\_\_\_  
Robert J Weld

Date: May 30, 2013

## **FACILITY INFORMATION**

### Permittee

RR Donnelley Printing Company  
4201 Murray Place  
Lynchburg, VA 24501-5099

### Facility

Same as Permittee

County-Plant Identification Number: 51-680-00032

## **SOURCE DESCRIPTION**

NAICS Code: 323111 - commercial publication rotogravure printer

RR Donnelley Printing Company (RRD) is a commercial publication rotogravure printer. The facility prints, binds and mails catalogs, newspaper circulars and other commercial printing products. The facility has the potential to operate twenty-four (24) hours per day, seven (7) days per week, fifty-two (52) weeks per year.

The facility is a Title V major source of SO<sub>2</sub>, VOC and HAP (toluene). This source is located in a designated PSD area for all pollutants (9 VAC 5-20-205), and is a PSD major source (VOC). The facility has a PSD Permit issued on March 1, 2005 as amended February 22, 2006 (referred to as the NSR permit).

The facility's current Title V permit is dated September 10, 2007, with an effective date of October 2, 2007. A Title V renewal application dated March 23, 2012 was received by the DEQ on March 26, 2012. Additional information was received September 24, 2012, and February 20, 2013.

The facility submitted a proposed Title V permit which contained corrected conditions to reflect permitted equipment which was not installed or equipment that was removed.

## **COMPLIANCE STATUS**

A full compliance evaluation of this facility, including a site visit, has been conducted. In addition, all reports and other data required by permit conditions or regulations, which are submitted to DEQ, are evaluated for compliance. Based on these compliance evaluations, the facility has not been found to be in violation of any state or federal applicable requirements at this time. The most recent full compliance inspection was performed October 17, 2011.

## **EMISSION UNIT AND CONTROL DEVICE IDENTIFICATION**

On July 10, 1996, the facility was issued a permit to install rotogravure presses 508 and 509. This permit also superseded previous permits dated March 29, 1973, May 20, 1977, April 13, 1987, February 19, 1988 as amended March 14, 1991, and May 2, 1994. The July 10, 1996 permit was superseded by the February 4, 2000 permit to install presses 510 and 511. The February 4, 2001 permit was amended by the June 20, 2000 permit. The June 20, 2000 permit was superseded by the August 27, 2001 permit to add two printing units on press 507. The August 27, 2001 permit was amended on September 5, 2001, superseded on March 4, 2002, amended on July 31, 2002, amended on August 13, 2002, superseded on February 24, 2003, amended on May 14, 2004, superseded on March 1, 2005, and amended on February 22, 2006.

The facility also had three hard chromium plating lines (one existing and one permitted on August 22, 1997) for plating the rotogravure cylinders. This permit was superseded by the February 24, 2003 (third line permitted), creating one permit document for RRD.

On April 2, 2007, a permanent shutdown agreement (9 VAC 5-20-220) was completed for units CP-1a (existing plating line), CP-2 (plating line permitted on August 22, 1997) and insignificant units (NP, methanol and MEK ink jet printers).

The ink storage tanks T1-T5 were added to the significant unit table in the October 2, 2007 Title V renewal permit. RRD took ownership of these tanks in 2002. These tanks are "affiliated operations" of the publication rotogravure affected source subject to the 40 CFR 63 Subpart KK (MACT for Printing and Publishing Industry; publication rotogravure printing).

CP-1a and CP-2 were not included in the October 2, 2007 Title V permit based on the April 2, 2007 permanent shutdown agreement between RRD and the DEQ.

The February 22, 2006 amendment of the March 1, 2004 permit permitted the installation and operation of Printer Press #511. However, the press was never installed and the permit expired on May 10, 2008. Condition 29 of the amended permit stated "The portions of this permit to construct press #511 shall become invalid, if construction is not continued by May 10, 2008 or if it is discontinued for a period of 18 months." Therefore, the press and related requirements stated in the October 2, 2007 Title V permit are not included in the Title V permit renewal.

Proof Press #601 was permanently shutdown per the August 24, 2007 agreement between RRD and the DEQ. This press and related requirements in the October 2, 2007 Title V permit are not included in the Title V permit renewal.

A permit dated February 27, 2009 was issued for the installation of a flexographic imprinter for fragrance ink application on Printer Press #509. However, the press was never installed and the permit expired on August 27, 2012. Therefore, the conditions from this permit are not included

in the Title V permit renewal.

The emissions units at this facility are contained in Condition II of the Title V permit. This table represents the current emission units at the facility as represented by RRD's application information. The emissions units are subject to the following Federal requirements:

Emission Unit ID	Emission Unit Description	Applicable Federal Requirement
<b>Fuel Burning Equipment</b>		
B1	B & W natural gas/distillate oil fired boiler (1971)	MACT DDDDD
B2	B & W natural gas/distillate oil fired boiler (1971)	MACT DDDDD
B3	Keeler DS-40 natural gas/distillate oil fired boiler (1978)	MACT DDDDD
<b>Printing Presses</b>		
503	Albert TR5 rotogravure printing press (1974)	MACT KK
504	Albert TR5 rotogravure printing press (1974)	MACT KK
505	Cerutti PV36 rotogravure printing press (1971)	MACT KK
506	Cerutti PV24/5 rotogravure printing press (1978)	MACT KK
507	Albert TR6B rotogravure printing press (1988)	MACT KK, NSPS QQ <sup>1</sup>
508	Albert TR6B rotogravure printing press (1997)	MACT KK, NSPS QQ
509	Albert TR6B rotogravure printing press (1997)	MACT KK, NSPS QQ
510	Cerutti rotogravure printing press 123" web width	MACT KK, NSPS QQ
<b>Tanks</b>		
T1	Ink Storage (1988)	MACT KK
T2	Ink Storage (1988)	MACT KK
T3	Ink Storage (1988)	MACT KK
T4	Ink Storage (1988)	MACT KK
T5	Ink Storage (1988)	MACT KK
T6	Solvent storage (1988)	MACT KK
T7	Solvent storage (1988)	MACT KK
WT-1	Wash tank for doctor blade	MACT KK
WT-2	Wash tank for gravure printing cylinder	MACT KK
WT-3	Wash tank for gravure printing cylinder	MACT KK
<b>Chromium Electroplating</b>		
CP-1b	Chromium plating Unit	MACT N
<b>Other</b>		
EG	Emergency generator (1970)	MACT ZZZZ
DP1	Diesel fire pump (1970)	MACT ZZZZ
DP2	Diesel fire pump (1970)	MACT ZZZZ

## EMISSIONS INVENTORY

A copy of the 2011 annual emission update is attached. Emissions are summarized in the

<sup>1</sup> The requirements of MACT KK are more restrictive therefore NSPS QQ requirements are not included in the T5 permit. See discussion in §VI, Streamlined Requirements.

following tables.

	2011 Criteria Pollutant Emission in Tons/Year				
Emission Unit	VOC	CO	SO <sub>2</sub>	PM <sub>10</sub> /PM <sub>2.5</sub>	NO <sub>x</sub>
Boiler B1	0.2	2.6	<0.1	0.2	3.1
Boiler B2	0.2	2.7	<0.1	0.2	3.2
Boiler B3	0.3	5.2	<0.1	0.5	6.2
Printing	129.7		0		
Total	130.4	10.5		0.9	12.5

Pollutant	2011 Hazardous Air Pollutant Emission in Tons/Yr
Toluene (108-88-3)	129.7
Chromium Trioxide(1333-82-0) (CR <sup>+6</sup> = 18540-29-9)	<0.01
Methanol (67-56-1)	0.2

**EMISSION UNIT APPLICABLE REQUIREMENTS – Keeler Boiler 47.24 MMBtu/hr (B3) – Section III of Title V Permit**

**Limitations**

This boiler is fired on natural gas; however, it is permitted to burn up to 975,000 gallons of distillate oil (ASTM #1 or #2). Distillate fuel oil is used only as a back-up fuel at this time when natural gas is curtailed. Emission limits are based on worst-case burning scenario for each pollutant. The new and modified source visible emissions limit of 20% with one 6-minute average not to exceed 30% is included. This limit does not apply during start-up, shutdown and malfunction (SSM) events.

This boiler is limited to burning distillate fuel oil, which by definition has a maximum of 0.5% sulfur. The hourly sulfur dioxide limit is based on the boiler operating at capacity and burning 0.5% sulfur distillate oil. Therefore, hourly monitoring is not required.

The emission factors for this boiler (B3) are as follows:

Pollutant	Natural Gas Emission Factor (lb/MMcf)	Fuel oil Emission Factor (lb/1000 gal)
PM	3	2
PM-10	3	1
SO <sub>2</sub>	0	57.44
NO <sub>x</sub>	140	20
CO	35	5
VOC	2.5	0.2

Emission for each pollutant (in tons) = fuel usage (MMcf for natural gas and 1000 gallons for fuel oil) x appropriate emission factor / 2000 lb/ton

Section V of the permit contains the Boiler MACT Subpart DDDDD requirements for the boiler.

#### **Monitoring and Recordkeeping**

Periodic monitoring requires weekly observations for visible emissions. Due to the nature of the boiler (natural gas fired), the ability to switch to monthly observations is provided if there are no visible emissions observed for 12 consecutive weeks of operation.

Both the expected SO<sub>2</sub> and PM emissions are well below the allowable, so documentation that the fuel combusted is distillate oil or natural gas, recording the amounts used, and opacity periodic observation is sufficient monitoring for the boiler.

The boiler does not have the potential to emit regulated pollutants in major amounts; therefore, the unit is not subject to CAM.

Unit specific recordkeeping includes natural gas and distillate oil usage and a visual observations log.

#### **Testing**

No testing required.

#### **Reporting**

No specific reporting required.

#### **Streamlined Requirements**

None

**EMISSION UNIT APPLICABLE REQUIREMENTS – Boilers 24.3 MMBtu/hr each (B1 and B2) – Section IV of Title V Permit**

### **Limitations**

These boilers are existing sources, covered under 9 VAC 5 Chapter 40. The boilers are fired on natural gas; however, combusting distillate oil (ASTM #1 or #2) is allowed. Distillate is used only as a back-up fuel and burned only during natural gas curtailment at this time. Emission limits are based on Rule 4-8 for existing fuel burning equipment (9 VAC 5-40-880 et seq.). The existing source visible emissions limit of 20% with one 6-minute average not to exceed 60% is included.

The two B & W boilers are existing and therefore limited by 9 VAC 5-40-900 A.1.b. Total existing capacity is 48.6 MMBtu/hr (24.3 + 24.3).

$$PM = 1.0906 \times H^{-0.2594} = 1.0906 \times 48.6^{-0.2594} = 0.4 \text{ lb/MMBtu}$$

where H is the sum of the total heat input capacity of the two existing boilers in MMBtu/hr

The uncontrolled hourly PM emissions from the boilers have been calculated using the PM emission factor from AP-42, Section 1.3, Distillate Oil Combustion, dated 9/98 to be:

$$PM = 2 \text{ lb/1000 gal} \times 1 \text{ gal/138,000 Btu} \times 10^6 = 0.014 \text{ lb/MMBtu}$$

Opacity observations will serve as the monitoring for particulate matter. Combustion of natural gas with distillate oil backup will produce minimal emissions of particulate matter. Appropriate operation and maintenance procedures along with opacity observations will assure compliance with particulate matter limits.

The two B & W boilers (B1 and B2) are existing boilers and the standard is  $S=2.64K$ , where S is the allowable sulfur dioxide emission rate expressed in pounds per hour and K=heat input at total capacity in MMBtu/hr (24.3 MMBtu/hr each). These two boilers normally burn natural gas and use distillate oil (0.5% sulfur) as a standby fuel; therefore, it is very unlikely that the allowable sulfur dioxide emission could be exceeded.

### **Monitoring and Recordkeeping**

Periodic monitoring requires weekly observations for visible emissions. Due to the nature of the boilers (natural gas fired), the ability to switch to monthly observations is provided if there are no visible emissions for 12 consecutive weeks of operation.

Both the expected SO<sub>2</sub> and PM emissions are well below the allowable, so documentation that the fuel combusted is distillate oil or natural gas, recording the amounts used, and opacity periodic observation is sufficient monitoring for the two boilers.

Neither boiler has the potential to emit regulated pollutants in major amounts; therefore, the units are not subject to CAM.

Unit specific recordkeeping includes natural gas and distillate oil usage and a visual observations log. The fuel usage records are required in Title V for fee purposes.

**Testing**

No testing required.

**Reporting**

No specific reporting required.

**Streamlined Requirements**

None

**Section V** contains the Boiler MACT Subpart DDDDD requirements for these boilers.

**EMISSION UNIT APPLICABLE REQUIREMENTS – Rotogravure presses (#503, #504, #505, #506, #507, #508, #509 and #510), tanks (T1 – T7), wash tanks (WT-1, WT-2 and WT-3) – Section VI of Title V Permit**

**Limitations**

Carbon adsorption is required control technology for VOC emissions. RRD currently has one large adsorption unit (SR#2-3) which controls all of the equipment listed above. The four newest presses (#507-#510) require total permanent enclosure, defined by Condition VI.A.3 of the permit. Start-up of #510 occurred on November 10, 2006. Emission limits currently in effect are included in Conditions VI.A.4, VI.A.5, and VI.A.6, limiting emissions from all presses. The approval to construct #511 has expired and conditions referencing #511 are not included in this permit.

The presses and affiliated equipment are subject to 40 CFR 60 Subpart QQ (NSPS for Graphic Arts Industry: Publication Rotogravure Printing) and 40 CFR 63 Subpart KK (MACT for Printing and Publishing Industry; publication rotogravure printing). MACT KK requires a 92% reduction in organic HAP emissions. RRD shows compliance through a monthly liquid-liquid material balance. NSPS QQ is discussed under Streamlined Requirements.

**Monitoring and Recordkeeping**

Opacity periodic monitoring is not being proposed for the solvent recovery unit, since VOCs (toluene) and water vapor are the only emissions from the unit.

VOC periodic monitoring is accomplished by use of liquid-liquid material balance on a monthly basis for the solvent recovery unit and sufficient monitoring as described in Section VI.B of the permit.

All presses are subject to the Printing MACT (Subpart KK) for toluene (VOC); therefore, the units are not subject to CAM.

The facility is required to keep records to document press throughput of toluene and calculate emissions.



**Testing**

Testing is not required. The facility uses liquid-liquid material balance on a monthly basis. However the facility was required to be constructed to allow for emissions testing and monitoring upon reasonable notice. Test ports shall be provided when requested at the inlet and outlet of the carbon adsorption units.

**Reporting**

Monthly reports of throughput of VOCs (toluene), quantity recovered, and calculation of emissions are required.

The permittee is required to submit to the Blue Ridge Regional Office semi-annual SSM reports per 40 CFR 63.10(d)(5).

The summary report required by 40 CFR 63.830 (MACT KK) shall be included in the report required by Condition XI.C.3.

**Streamlined Requirements**

NSPS QQ states "no owner or operator subject to the provisions of this subpart shall cause to be discharged in the atmosphere from any affected facility VOC equal to more than 16 percent of the total mass of VOC solvent and water used at the facility during one performance averaging period." The Printing MACT (KK) states "Each publication rotogravure affected source shall limit emissions of organic HAP to no more than eight percent of the total volatile matter used each month. The emission limitation may be achieved by overall control of at least 92 percent of organic HAP used, by substitution of non-HAP materials for organic HAP, or by a combination of capture and control technologies and substitution of materials." For RRD, the VOCs emitted are HAPS (i.e., toluene). Therefore, the Printing MACT (92% control) is more restrictive than NSPS QQ (84% control) for RRD.

Condition 14 from the NSR permit is not included in this renewal permit. This condition no longer applies because press #510 start-up occurred on November 10, 2006. The notifications in Condition 37 pertaining to press #510 have been deleted. The notifications were received on March 10, 2005 (37.a), September 26, 2006 (37.b and d) and November 16, 2006 (37.c). Condition 29 has been modified to delete the test required on start-up of #510. The test was completed in January 2007.

**Press #511**

Since the time for construction of press #511 has expired, all requirements for press #511 have been removed and conditions adjusted for operation without press #511.

**EMISSION UNIT APPLICABLE REQUIREMENTS – Chromium Electro Plating (CP-1b)- Section VII of Title V Permit**

### **Limitations**

A composite mesh pad is the control technology used to meet 40 CFR 63 Subpart N (Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks MACT<sup>2</sup>). CP-1b is subject to the new affected source limit represented in Condition 22 of the NSR permit. CP-2, also a new affected source, was originally permitted August 2, 1997. This permit was eventually superseded during installation of CP-1b (February 24, 2003) which required the removal of the existing line (CP-1a). CP-1a and CP-2 were permanently shutdown in an agreement between the DEQ and RRD on April 2, 2007. CP-1b is the only remaining line and is subject to the Chromium MACT. The MACT regulatory citation that was referenced in the 2/22/06 permit was changed in the most recent revision of the MACT from 63.342(C) (1)(i) to 63.342 (c)(1)(ii) and this is corrected in Condition VII A.2. of this Title V permit renewal.

### **Monitoring and Recordkeeping**

The monitoring that is required is specified in 40 CFR 63.343(c)(1) and 40 CFR 63.342(f)(2) Table 2 and is included in the permit. The Chromium MACT does not contain opacity or visible emissions standards. Therefore, visible emissions evaluations are not proposed in the Title V permit.

CP-1b does not have the potential to emit regulated pollutants in major amounts; therefore, the unit is not subject to CAM. CP-1a and CP-2 have been permanently shutdown.

Records are kept to demonstrate compliance with the emissions limit in Condition VII.A.2, including records of pressure drop for the mesh pad and maintenance performed, and is sufficient monitoring.

Summary reports for the Chromium MACT (Condition 35 of the NSR permit) are a reporting requirement of the permit.

### **Testing**

The only test required is the initial performance test for chromium and that has been completed.

### **Reporting**

The source is required to submit semi-annually a summary report to document the ongoing compliance status (40 CFR 63.347(g)).

### **Streamlined Requirements**

On April 2, 2007, RRD and the DEQ completed a mutual shutdown agreement for CP-1a and CP-2. As such, conditions, or parts thereof, pertaining to CP-1a (Condition 12 of NSR permit) and CP-2 (Condition 7 and 22 of the NSR permit) are not included in this permit renewal.

Condition 40 of the NSR permit is not included as construction of CP-1b has been completed. The required stack test in Condition 30 was completed on September 13, 2005. The notifications

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<sup>2</sup> The Chromium MACT

were received on March 15, 2005 (37.e), May 4, 2005 (37.f) and July 20, 2005 (37.g).

Condition 22 of the NSR permit, dated 3/1/05 as amended 2/22/06, states the total chromium limit to be 0.015 mg/dscm. On September 19, 2012 the standard in MACT Subpart N was changed from 0.015 mg/dscm to 0.011 mg/dscm. The new limit for Total Chromium of 0.011 mg/dscm (4.8 gr/dscf) is included in this permit renewal.

**EMISSION UNIT APPLICABLE REQUIREMENTS – Diesel Engines (Emergency Generator (EG) and Fire Suppression Pumps (DP1 and DP2)) – Section IX of Title V Permit**

Emissions Unit ID	Emissions Unit Description	Size	Date Installed
EG	Emergency generator	450 hp	(1970)
DP1	Diesel fire pump	380 hp	(1970)
DP2	Diesel fire pump	380 hp	(1970)

These units are not subject to 40 CFR 60, Subpart IIII - Standards of Performance for Stationary Compression Ignition Internal Combustion Engines, since they were manufactured in 1970. These units are subject to the requirements of 40 CFR 63, Subpart ZZZZ - National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (The RICE MACT). EG is an existing emergency generator located at a major source of HAPs. The diesel fire pumps (DP1 and DP2) were also constructed in 1970 and are located at a major source of HAPs.

**Limitations**

Conditions IX.A. 1 and 2 include MACT ZZZZ applicable requirements

Condition IX.A.6. contains the opacity limitation for generators and fire pump compression ignition engines from 9 VAC 5-40-80, Existing Source Standard for Visible Emissions.

**Monitoring, Recordkeeping, and Reporting**

Conditions IX.A.2 – 3., IX.B., and IX.C. include the monitoring, recordkeeping, and reporting requirements from MACT ZZZZ for the generator and fire pump compression ignition engines.

Conditions IX.B.1., 2. and 3 include opacity periodic monitoring requirements for the generator and fire pump compression ignition engines stacks.

MACT standards include sufficient monitoring, recordkeeping, and reporting requirements to satisfy monitoring requirements.

**Streamlined Requirements**

None

## **GHG**

RRD emits less than 75,000 tons of GHG per year and reporting requirements do not apply. There are no applicable GHG permitting requirements<sup>3</sup>.

## **GENERAL CONDITIONS**

The permit contains general conditions required by 40 CFR Part 70 and 9 VAC 5-80-110 that apply to all Federal-operating permitted sources. These include requirements for submitting semi-annual monitoring reports and an annual compliance certification report. The permit also requires notification of deviations from permit requirements or any excess emissions.

### **Comments on General Conditions**

There are no CEMS at the facility; therefore, conditions concerning CEMS from the Title V permit boilerplate are not included in the Title V permit.

## **B. Permit Expiration**

This condition refers to the Board taking action on a permit application. The Board is the State Air Pollution Control Board. The authority to take action on permit application(s) has been delegated to the Regions as allowed by ☐ ☐ §2.2-604 and ☐ §10.1-1185 of the *Code of Virginia*, and the “Department of Environmental Quality Agency Policy Statement No. 2-09”.

## **F. Failure/Malfunction Reporting**

Section 9 VAC 5-20-180 requires malfunction and excess emission reporting within four hours of discovery. Section 9 VAC 5-80-250 of the Title V regulations also requires malfunction reporting; however, reporting is required within two days. Section 9 VAC 5-20-180 is from the general regulations. All affected facilities are subject to section 9 VAC 5-20-180 including Title V facilities. Section 9 VAC 5-80-250 is from the Title V regulations. Title V facilities are subject to both sections. A facility may make a single report that meets the requirements of 9 VAC 5-20-180 and 9 VAC 5-80-250. The report must be made within four daytime business hours of discovery of the malfunction.

## **J. Permit Modification**

This general condition cites the sections that follow:

9 VAC 5-80-50. Applicability, Federal Operating Permit For Stationary Sources

9 VAC 5-80-190. Changes to Permits.

9 VAC 5-80-260. Enforcement.

9 VAC 5-80-1100. Applicability, Permits For New and Modified Stationary Sources

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<sup>3</sup> The CO<sub>2</sub> equivalent emissions from the 3 boilers are 69000 tons/yr (2 x 24.3 MMBtu/hr x 163.6 lb CO<sub>2</sub>e /MMBtu x 8760 hr/yr / 2000lb/ton + 47.24 MMBtu/hr x 163.6 lb CO<sub>2</sub>e/MMBtu x 8760 / 2000 lb/ton). There are no CO<sub>2</sub>e emissions from the printing process.

9 VAC 5-80-1605. Applicability, Permits For Major Stationary Sources and Modifications  
Located in Prevention of Significant Deterioration Areas

9 VAC 5-80-2000. Applicability, Permits for Major Stationary Sources and Major Modifications  
Locating in Nonattainment Areas

#### **U. Malfunction as an Affirmative Defense**

The regulations contain two reporting requirements for malfunctions that coincide. The reporting requirements are listed in sections 9 VAC 5-80-250 and 9 VAC 5-20-180. The malfunction requirements are listed in General Condition U and General Condition F. For further explanation see the comments on general condition F.

#### **STATE ONLY APPLICABLE REQUIREMENTS**

There are no state only applicable requirements.

#### **FUTURE APPLICABLE REQUIREMENTS**

There are no known future applicable requirements.

#### **INAPPLICABLE REQUIREMENTS**

The startup, shut down, and malfunction opacity exclusion listed in 9 VAC 5-40-20 A.4 cannot be included in any Title V permit. This portion of the regulation is not part of the federally approved state implementation plan. The opacity standard applies to existing sources at all times including startup, shutdown, and malfunction. Opacity exceedances during malfunction can be affirmatively defended provided all requirements of the affirmative defense section of this permit are met. Opacity exceedances during startup and shut down will be reviewed with enforcement discretion using the requirements of 9 VAC 5-40-20 E, which state that "At all times, including periods of startup, shutdown, soot blowing and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions."

#### **COMPLIANCE PLAN**

None at this time.

#### **INSIGNIFICANT EMISSION UNITS**

The insignificant emission units (as shown in Section II.B. of the T5 Permit) are presumed to be in compliance with all requirements of the Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110.

The citation criteria for insignificant activities are as follows:

- 9 VAC 5-80-720 A - Listed Insignificant Activity, Not Included in Permit Application
- 9 VAC 5-80-720 B - Insignificant due to emission levels
- 9 VAC 5-80-720 C - Insignificant due to size or production rate

#### **CONFIDENTIAL INFORMATION**

The permittee did not submit a request for confidentiality. All portions of the Title V application are suitable for public review.

#### **TITLE V BOILERPLATE DEVIATION**

None

#### **PUBLIC PARTICIPATION**

The draft/proposed permit will be placed on public notice in Lynchburg's *The News & Advance* from April 24, 2013 to May 24, 2013. This permit will be sent to EPA for concurrent review as a draft/proposed permit.